

### **III. REMARKS**

#### **Status of the Claims**

Claims 1, 13, 19, and 20 are amended and claim 12 and 17 are cancelled. Claims 1-6, 8-11, 13-16, and 18-20 are presented for further consideration.

#### **Summary of the Office Action**

Claims 1-6, 8-16, and 18-20 stand rejected under 35USC102(b) based on the cited reference Blonder, U.S. Patent No. 5,103,376. The Examiner is respectfully requested to reconsider his rejection in view of the above amendments and the following remarks.

#### **Discussion of the Cited Reference**

The Examiner relies on the reference Blonder to support the rejection based on anticipation and characterizes the cited reference as follows:

"Blonder shows....the first pair of connecting elements(108 and 401-405, 409-410 on the left side) being on a first side of the first part and second part (fig. 4, display portion and display portion), and the second pair of connecting elements (108, and 401-405, 409-410 on the right side) being on a second side of the first and second part(Fig. 4 display portion and display portion)."

Figure 4 of US 5,103,376 shows a dual-pivoting hinge 104 for an electronic device for adjusting the relative position of display 102 relative to keyboard 101. Hinge 104 is comprised of a link

108 connected to the display 102 and keyboard 101 by means of pivot pins 106 and 107 and a locking mechanism 401 connected to link 108. The operation of the hinge mechanism 104 is described in the paragraph at column 3, lines 10 to 42. Locking mechanism 401 is used to selectively restrict the rotational movement of link 108. It is not in anyway similar to a connecting element described in the subject application.

Summarizing the operation of hinge 104, the hinge mechanism has three configurations: (i) a first, locked configuration in which relative movement of the keyboard and display is not permitted; (ii) a second configuration in which relative rotation between the display and connecting element 108 is permitted but relative rotation between the keyboard and connecting element 108 is not permitted; (iii) a third configuration in which relative rotation between the keyboard and connecting element 108 is permitted but relative rotation between the display and connecting element 108 is not permitted.

It is clear, therefore, that there is only one connecting element between the display and keyboard of Blonder and that is link 108. The Examiner is mistaken with respect to the significance of the elements 401. These are not further connecting elements. Elements 401 are mounted on the keyboard and slidably engage the link 108 to selectively restrict the links movement. They have no connection to display 102.

According to the subject invention, as described in the claims as amended and with reference to Figure 2, the portable device 100 includes first and second parts 102, 104 being connected on one side by a pair of connecting elements 122, 124. The other side of the first and second parts includes another pair of connecting

elements, (not shown in figure 2). Each connecting element 122, 124 is rotatably mounted at each end respectively to the first and second parts 102,104. Although not shown, the axes about which the ends of connecting elements 122, 124 rotate are the same axes about which the connecting elements on the other side of the device 100 rotate. Thus, each end of each of the connecting elements in a pair is mounted with respective first and second parts to allow simultaneous rotation of the first and second parts about respective rotational axes.

US 5,103,376 does not disclose or suggest these features. US 5,103,376 does not disclose a pair of connecting elements on each side of the device. Moreover, it does not disclose each end of a connecting element being simultaneously rotatable about a rotation axis. In fact it teaches away for such an arrangement, as there is no configuration of the hinge 104 in which the connecting element 108 is able to rotate relative to both the keyboard and display at the same time. The embodiment of figure 5 is no more relevant than that of figure 4.

Accordingly, applicant submits that the reference Blonder does not support the Examiner's rejection based on anticipation.

Given that the intention of the system of Blonder is to provide a device which can be opened in the style of a laptop in one of two configurations, Applicant's submit that it would not be obvious to modify the hinge arrangement, such that the connecting element 108 could rotate relative to both the keyboard and the display, since to do so would interfere with the style of opening. In fact, Blonder strongly teaches that the connecting element 108 should be able to rotate relative to only one, or neither, of the

keyboard and display at one time (see for example, column 3, lines 34 to 42).

### **The Issue of Anticipation**

It is well settled that, the anticipation analysis requires a positive answer to the question of whether the hinge system of Blonder would infringe the claims of this application, if it were later.

Claims 1, 19, and 20 contain the following limitations:


**"said first and second parts being connected by first and second pairs of connecting elements, the first pair of connecting elements being connected to a first side of the first and second parts and the second pair of connecting elements being connected to a second side of the first and second parts, each end of each connecting element being connected to be simultaneously rotatable about respective rotational axes, wherein the respective rotational axes of the first pair are in common with the corresponding rotational axes of the second pair."**

Since there is only one link (108) connecting the display and keyboard of the hinge of Blonder, there can be no infringement of the subject claims. Therefore the teaching of Blonder does not support the rejection based on anticipation with respect to any of the independent claims. These arguments, therefore apply equally to the rejected dependent claims.

For all of the above reasons, it is respectfully submitted that all of the claims now present in the application are novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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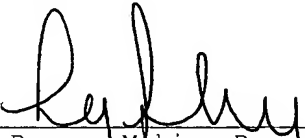
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